



BOARD OF ZONING ADJUSTMENTS

Final Agenda

April 9, 2018

MEETING INFORMATION

Location

City Council Chambers

1st Floor, City Hall
1300 Perdido Street
New Orleans, Louisiana

Time

10:00 a.m.

Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Jaime Ramiro Diaz

Alfonso Gonzalez II

Mary Harper Malone

Nikolaus Richard

The general public cannot speak
with the members personally.

The Board of Zoning Adjustments consists of seven citizen members appointed by the Mayor and approved by the City Council. The City Charter grants the Board the power to permit exceptions to or variations from the City's zoning regulations and to hear decision appeals from the Director of the Department of Safety and Permits in accordance with the principles, conditions, and procedures set forth in Article 14 of the City's Comprehensive Zoning Ordinance. The decision made by the Board will be provided in the form of a resolution. The resolution should be produced by **April 19, 2018**.

General Rules of Order

Robert's Rules of Order govern the conduct of the meeting. Any member of the public may speak on any matter before the Board. If you wish to appear before the Board, please fill out a Speaker Card and place it in the box provided. When you are recognized by the Chairperson, state your name and address and speak directly into the microphone.

Appeals

Any person or persons, or any officer, department, commission, board, bureau, or any other agency of the City of New Orleans jointly or singularly aggrieved by any decision of the Board of Zoning Adjustments may present to the Civil District Court of the Parish of Orleans, within thirty (30) days after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

A. Call to Order, Roll Call, Adoption of Minutes, Communications and Reading of Hearing Rules

B. Variances – New Business

ITEM 1 – Docket Number: 036-18

Applicant or Agent: TKO Redesign LLC, Treye Stalling
Property Location: 5845 Lafaye Street **Zip:** 70122
Bounding Streets: Lafaye St., Pressburg St., Baccich St., Athis St.
Zoning District: S-RS Suburban Single-Family Residential District
Historic District: N/A **Planning District:** 6
Existing Use: Vacant Lot **Square Number:** 4606
Proposed Use: Single-Family Residence **Lot Number:** 17
Project Planner: Nicolette P. Jones (nipjones@nola.gov)

Request: This request is for variances from the provisions of Article 13, Section 13.3.A.1 (Table 13-2) and Article 13, Section 13.3.B.1.a of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with insufficient front yard setback, and corner side yard setback.

Requested Waivers:

Article 13, Section 13.3.A.1 (Table 13-2) – Front Yard Setback

Required: 20' Provided: 15' Waiver: 5'

Article 13, Section 13.3.A.1 (Table 13-2) – Corner Side Yard Setback

Required: 10' Provided: 5' Waiver: 5'



ITEM 2 – Docket Number: 037-18

WITHDRAWN

Applicant or Agent: Schoen Fuselier Co. LLC, Joel Ross
Property Location: 817 N. Villere Street **Zip:** 70116
Bounding Streets: N. Villere St., St. Ann St., N. Robertson St., Dumaine St.
Zoning District: HMR-1 Historic Marigny/Tremé/Bywater Residential District
Historic District: Tremé **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 179
Proposed Use: Two-Family Residence **Lot Number:** A2
Project Planner: Timothy Jackson (thjackson@nola.gov)

Request: This request is for a variance from the provisions of Article 9, Section 9.3.A (Table 9-2) of the Comprehensive Zoning Ordinance to permit the construction of a two-family residence with insufficient minimum lot width.

Requested Waiver:

Article 9, Section 9.3.A (Table 9-2) – Minimum Lot Width

Required: 25' Provided: 23'-11" Waiver: 1'-1"



ITEM 3 – Docket Number: 038-18

Applicant or Agent: 1117 Saint Mary LLC, Alex Modinger
Property Location: 1117-1119 St. Mary Street **Zip:** 70130
Bounding Streets: St. Mary St., Magazine St., Sophie B. Wright Pl., Felicity St.
Zoning District: HU-B1 Historic Urban Neighborhood Business District
Historic District: Lower Garden District **Planning District:** 2
Existing Use: Mixed-Use **Square Number:** 140
Proposed Use: Mixed-Use **Lot Number:** A
Project Planner: Haley Delery (hdelery@nola.gov)

Request: This request is for a variance from the provisions of Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance to permit the conversion of an existing structure into a mixed-use (one commercial unit/5 dwelling units) structure, resulting in insufficient off-street parking.

Requested Waiver:

Article 22, Section 22.4.A (Table 22-1) – Off-Street Vehicle and Bicycle Parking Requirements

Required: 6 spaces **Proposed:** 0 spaces (3 grandfathered) **Waiver:** 3 spaces



ITEM 4 – Docket Number: 039-18

Applicant or Agent: 600 S. Alexander LLC
Property Location: 3210 N. Rampart Street **Zip:** 70117
Bounding Streets: N. Rampart St., Piety St., Burgundy St., Louisa St.
Zoning District: HMR-3 Historic Marigny/Tremé/Bywater Residential District
Historic District: Bywater **Planning District:** 7
Existing Use: Vacant Lot **Square Number:** 284
Proposed Use: Single-Family Residence **Lot Number:** 10-B
Project Planner: Amos Jasper Wright (ajwright@nola.gov)

Request: This request is for a variance from the provisions of Article 9, Section 9.3.A (Table 9-2) of the Comprehensive Zoning Ordinance. This request is to permit the construction of a single-family dwelling with insufficient rear yard setback.

Requested Waiver:

Article 9, Section 9.3.A (Table 9-2) – Rear Yard Setback

Required: 20' **Proposed:** 3' **Waiver:** 17'



ITEM 5 – Docket Number: 040-18

WITHDRAWN

Applicant or Agent: Robert Bandzuch
Property Location: 2322 St. Thomas Street **Zip:** 70130
Bounding Streets: St. Thomas St., Philip St., Rousseau St., Soraparu St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Irish Channel **Planning District:** 2
Existing Use: Two-Family Residence **Square Number:** 45
Proposed Use: Two-Family Residence **Lot Number:** B
Project Planner: Sabine Lebailleux (selebailleux@nola.gov)

Request: This request is for a variance from the provisions of Article 22, Section 22.11.B of the Comprehensive Zoning Ordinance to permit the construction of a two-family dwelling with excessive curb cut.

Requested Waiver:

Article 22, Section 22.11.B – Curb Cuts

Required: 12'

Proposed: 14'

Waiver: 2'



ITEM 6 – Docket Number: 041-18

WITHDRAWN

Applicant or Agent: 535 Iberville, LLC, Sherman Strategies LLC
Property Location: 533 Iberville Street **Zip:** 70130
Bounding Streets: Iberville St., Chartres St., Bienville St., Decatur St.
Zoning District: VCC-2
Historic District: Vieux Carré **Planning District:** 1
Existing Use: Parking Structure (Principal Use) **Square Number:** 30
Proposed Use: Multi-Family Residence **Lot Number:** L
Project Planner: Joseph Colón (jacolon@nola.gov)

Request: This request is to amend conditions applied in conjunction with variances previously granted by the Board to waive a proviso imposed by the Board of Zoning Adjustments in BZA Docket 098-17, proviso #10, requiring the applicant to submit a stormwater management plan.

Requested Waiver:

BZA Docket 098-17 – Proviso #10

Imposed: The applicant shall submit an approved Stormwater Management plan subject to Article 23, Section 23.3 of the Comprehensive Zoning Ordinance.

Waiver: Removal of the requirement to submit a stormwater management plan.



ITEM 7 – Docket Number: 042-18

Applicant or Agent: Joseph J. Beerworth
Property Location: 3524-3526 Annunciation Street **Zip:** 70115
Bounding Streets: Annunciation St., Aline St., Tchoupitoulas St., Foucher St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 2
Existing Use: Two-Family Residence **Square Number:** 105
Proposed Use: Two-Family Residence **Lot Number:** 11
Project Planner: Aspen Nero (asnero@nola.gov)

Request: This request is for variances from the provisions of Article 21, Section 21.6.A.7 of the Comprehensive Zoning Ordinance to permit the construction of an accessory structure with insufficient setback from the interior side and rear property lines.

Requested Waivers:

Article 21, Section 21.6.A.7 – Accessory Structures and Uses (Interior Lot Lines 1)

Required: 3' Provided: 2.44' Waiver: .6'

Article 21, Section 21.6.A.7 – Accessory Structures and Uses (Interior Lot Lines 2)

Required: 3' Provided: 2.44' Waiver: .6'

Article 21, Section 21.6.A.7 – Accessory Structures and Uses (Rear Lot Lines)

Required: 3' Provided: 1.75' Waiver: 1.25'



C. Variances – New Business – Former Comprehensive Zoning Ordinance

ITEM 8 – Docket Number: 043-18

Applicant or Agent: 550 Baronne Street Hotel JV, LLC
Property Location: 550 Baronne Street **Zip:** 70113
Bounding Streets: Baronne St., Lafayette St., Carondelet St., Poydras St.
Zoning District: CBD-5 Urban Core Neighborhood Lower Intensity Mixed-Use District
Historic District: N/A **Planning District:** 1a
Existing Use: Parking Lot (Principal Use) **Square Number:** 232
Proposed Use: Hotel/Motel **Lot Number:** D-1 and Pt.C
Project Planner: Brooke Perry (btperry@nola.gov)

Request: This request is for variances from the provisions of Article 6, Section 6.1.7 (Table 6.A) of the former Comprehensive Zoning Ordinance to permit the construction of a hotel with insufficient rear yard setback, interior side yard setback, and insufficient open space ratio.

Requested Waivers:

Article 6, Section 6.1.7 (Table 6-A) – Rear Yard Setback

Required: 20 feet Proposed: 0 feet Waiver: 20 feet

Article 6, Section 6.1.7 (Table 6-A) – Interior Yard Setback

Required: 20 feet Proposed: 0 feet Waiver: 20 feet

Article 6, Section 6.1.7 (Table 6-A) – Minimum Open Space Ratio

Required: 0.07 Proposed: 0 Waiver: 0.07

D. Director of Safety and Permits Decision Appeals – Unfinished Business**ITEM 9 – Docket Number: 034-18**

Applicant or Agent: Powell W. Miller
Property Location: 1738 Washington Avenue **Zip:** 70113
Bounding Streets: Washington Ave., Carondelet St., Sixth St., Baronne St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 2
Existing Use: Bar **Square Number:** 249
Proposed Use: Bar **Lot Number:** A

Request: This is an appeal of a decision of the Director of the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance regarding the determination that an expansion of a non-conforming use did not attain legal, nonconforming status.

**ITEM 10 – Docket Number: 035-18**

Applicant or Agent: James C. Gulotta, Susan Talley
Property Location: 700 Magazine Street **Zip:** 70130
Bounding Streets: Magazine St., Girod St., Tchoupitoulas St., Notre Dame St.
Zoning District: GPD General Planned Development District
Historic District: Warehouse District **Planning District:** 1a
Existing Use: Vacant Lot **Square Number:** 125
Proposed Use: Mixed-Use **Lot Number:** 19

Request: This is an appeal of a decision of the Director of the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance regarding the interpretation of building height permitted.

**E. Director of Safety and Permits Decision Appeals – New Business****ITEM 11 – Docket Number: 044-18**

Applicant or Agent: Kimberly Price
Property Location: 3700-3720 Canal Street **Zip:** 70119
Bounding Streets: Canal St., Telemachus St., Cleveland St., Cortez St.
Zoning District: HU-MU Historic Urban Neighborhood Mixed-Use District
Historic District: Mid-City **Planning District:** 4
Existing Use: Place of Worship **Square Number:** 731
Proposed Use: Residential Care Facility **Lot Number:** C

Request: This is an appeal of a decision of the Director of the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance regarding the determination of grandfathered parking spaces for the petitioned site.

F. Adjournment